

Application No.: 09/881,275  
Amendment

#### R E M A R K S

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested. No claims have been amended, canceled or added. Therefore, claims 1-9 are pending in the application.

#### IDS Mailed February 23, 2004

Applicant mailed an additional Information Disclosure Statement (IDS) to the USPTO on February 23, 2004. Applicant requests that the Examiner consider the references listed therein and return a copy of the signed Form PTO-1449 with the next paper for this application.

#### Objections to the Drawings

The Examiner has objected to the drawings for several reasons.

With respect to the second occurrence of item 281b on FIG. 9, Applicant has amended the drawing to change this to item 281c as requested by the Examiner.

With respect to the Examiner's objection that FIG. 13 comes after FIG. 14, Applicant respectfully traverses this objection. Applicant is aware of no rule that requires the figures to be in numerical order. Indeed, the undersigned has reviewed many, many issued patents where the figures were out of numerical order in order to utilize all of the space on each drawing sheet, as is the case with the present application. Applicant respectfully requests the Examiner to withdraw this objection.

With respect to FIG. 11CD and FIG. 11CE, Applicant has amended the drawing to change the drawing label to FIG. 11D and FIG. 11E, respectively, as requested by the Examiner.

Applicant has submitted herewith Replacement Drawing

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Sheets showing the amended figures which include the desired changes without markings. Applicant has also submitted herewith Annotated Sheets Showing the Changes for the convenience of the Examiner.

Applicant submits that the above-mentioned drawing corrections are fully supported by the portions of the specification cited by the Examiner. Furthermore, Applicant submits that the drawing corrections and remarks should satisfy all of the objections of the Examiner.

#### Objections to the Specification

The Examiner has objected to the specification for several reasons.

Regarding the "software structure" of FIG. 1, Applicant has amended FIG. 1 to delete the legends of "FROM CONTROLLER", "TO AUDIO - VISUAL OUTPUT APPARATUS" and the arrows attached thereto. A Replacement Drawing Sheet is submitted herewith for this drawing correction, as well as an Annotated Sheet Showing the Changes for the convenience of the Examiner.

Regarding the player character 350 referred to on page 14, line 15, Applicant has amended the specification to delete the identifier "350" on that line of the specification.

Regarding page 14, lines 22-24 and the Y and N branches in FIG. 7 for S107 and S102, Applicant has amended the text describing FIG. 7 in the paragraph that begins at page 15, line 1 of the specification as requested by the Examiner. Furthermore, Applicant has amended FIG. 7 to swap the "Y" and "N" on the diamond S101 as requested by the Examiner. The amendments are supported by the portion of the specification noted by the Examiner. A Replacement Drawing Sheet is submitted herewith for this drawing correction, as well as an Annotated Sheet Showing the Changes for the convenience of the

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Examiner.

Regarding (S106) on page 15, line 18, as well as on page 16, line 8, Applicant has made the amendments to the specification requested by the Examiner.

Regarding the Examiner's comments with respect to FIGS. 12 and 13 and pages 24-31 of the specification, Applicant has amended PRESENCE POSITION to ARRANGEMENT INFORMATION in FIGS. 13B, 13C, 15A and 15B. This amendment is supported by the specification at, for example, page 24, lines 19-24. Furthermore, Applicant has amended DISTINATION to DESTINATION in FIGS. 12-15 to correct this spelling error. Replacement Drawing Sheets are submitted herewith for these drawing corrections, as well as Annotated Sheets Showing the Changes for the convenience of the Examiner. Applicant submits that these amendments help the understanding of pages 24-31 as requested by the Examiner.

#### Allowable Subject Matter

Applicant acknowledges with appreciation the Examiner's indication that claim 8 would be allowable if rewritten in independent form to include the limitations of the base and intervening claims. Applicant has chosen not to rewrite claim 8 in independent form at this time in view of the below remarks that independent claim 4 is allowable in its present form.

#### Claim Rejections under 35 U.S.C. § 102

The Examiner rejected claims 1-7 and 9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,357,014 to Baer et al. ("Baer et al."). Applicant respectfully traverses these rejections.

Applicant's independent claim 1 recites the step of

"determining a destination direction with regard to a reference point of the crowd, determined by the positions of the individuals which form the crowd at time  $t$ ". With respect to determining a destination direction, Applicant's specification states:

"The crowd object is a virtual object, a display of which is not produced. The position of the crowd object, as shown in FIG. 8c, is set to be the center (the center-of-gravity coordinates in the virtual space 310) of the positions of the enemy characters which form the crowd. That is, the position of the crowd object at time  $t$  is determined by the positions at time  $t$  of the enemy characters which form the crowd. Depending on a selection by the player, the crowd object may be displayed in a figure which is distinguished from the enemy character."

(Applicant's specification, page 18, lines 8-16).

"Next, the crowd object performs a process for determining the destination direction (S203). The destination direction of the crowd object is set to be a direction in which a player character is present. For example, as shown in FIG. 12, if the presence position of the crowd object is  $(x_1, y_1)$  at time  $t$ , and the presence position of the player character is  $(x_2, y_2)$  at time  $t$ , the destination direction of the crowd object is as shown below if the angle between the destination direction and the X axis is denoted as  $\theta$ :"

(Applicant's specification, page 22, lines 18-25).

Therefore, the destination direction is determined with regard to the crowd object G 302, which is set to be a center of the positions of the enemy characters which form the crowd, as shown in FIG. 8C. In this way, a destination direction is determined with regard to a reference point of the crowd, as recited in claim 1.

The Examiner contends that Baer et al.'s column 1, lines 33-47 disclose this limitation of Applicant's claim 1.

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Applicant respectfully disagrees. Specifically, this portion of Baer et al. simply discloses that "player symbols representing the 'team members' are shown on the screen . . . and are caused to move through a series of preprogrammed moves". This portion of Baer et al. does not disclose that "a reference point of the crowd" is determined by the positions of the individuals which form the crowd, as is recited in Applicant's claim 1.

Furthermore, Applicant's independent claim 1 also recites the step of "determining the position at the next time  $t + 1$  according to the position assigned by said arrangement process and said destination direction." This limitation is also not disclosed in Baer et al. because the destination direction with regard to the reference point is not described.

Therefore, Applicant submits that Baer et al. does not anticipate Applicant's independent claim 1 and the rejection should be withdrawn. And because Applicant's independent claims 2 and 3 include similar language, Baer et al. also does not anticipate those claims and the rejections should be withdrawn.

With respect to Applicant's independent claim 4, that claim recites "a mode determination process for determining whether each character should operate as an individual or as a crowd". The claim then goes on to recite the processing when it is determined that each character should operate as part of a crowd. The Examiner contends that Baer et al.'s column 5, lines 21-30 disclose these limitations. Applicant respectfully disagrees. Specifically, this portion of Baer et al. simply defines the operation object of their system and does not disclose "a mode determination process for determining whether each character should operate as an individual or as a crowd". As such, Baer et al. does not

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anticipate Applicant's independent claim 4 and the rejection should be withdrawn. Furthermore, the rejections of claims 5-9 should also be withdrawn for at least the above reasons due to their dependence on their respective independent claims.

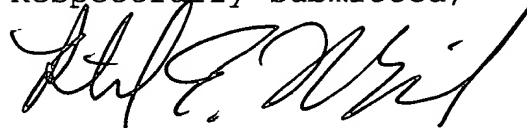
No Fees Believed to be Due

No extra claims fees are believed to be due given that no claims were amended.

C O N C L U S I O N

In view of the above, Applicant submits that the pending claims are in condition for allowance. Should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Richard E. Wawrzyniak at (858)552-1311 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



Richard E. Wawrzyniak  
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Dated

2/26/04

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